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Docket No. 44375/21:1

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **NETWORK DELAY IDENTIFICATION METHOD AND APPARATUS**, the specification of which was filed on June 22, 2001, as United States Patent Application No. 09/888,085.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed
[X] Yes [] No

PCT/US98/10317
(Number)

PCT
(Country)

19/05/1998
(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications(s) listed below:

<u>60/047,034</u> (Application Number)	<u>May 19, 1997</u> (Filing Date)
<u>60/047,140</u> (Application Number)	<u>May 20, 1997</u> (Filing Date)
<u>60/048,369</u> (Application Number)	<u>June 3, 1997</u> (Filing Date)
<u>60/048,385</u> (Application Number)	<u>June 3, 1997</u> (Filing Date)
<u>60/055,497</u> (Application Number)	<u>August 12, 1997</u> (Filing Date)
<u>60/116,093</u> (Application Number)	<u>January 15, 1999</u> (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>09/230,079</u> (Application No.)	<u>May 13, 1999</u> (Filing Date)	<u>patented</u> (Status--patented, pending, abandoned)
<u>09/484,942</u> (Application No.)	<u>January 18, 2000</u> (Filing Date)	<u>pending</u> (Status--patented, pending, abandoned)
<u>09/531,367</u> (Application No.)	<u>March 21, 2000</u> (Filing Date)	<u>pending</u> (Status--patented, pending, abandoned)

I hereby appoint the following attorneys and/or agents to prosecute this application, to file any corresponding international application(s), and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Dan A. Preston

Inventor's signature: Dan Preston

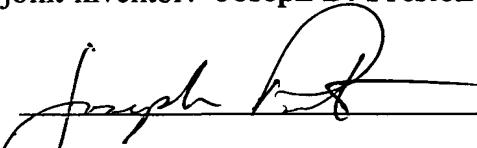
8-8-01
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Full name of second joint inventor: **Joseph D. Preston**

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Full name of third joint inventor: **Robert Leyendecker**

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Full name of fourth joint inventor: **Wayne Eatherly**

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Full name of fifth joint inventor: **Rod L. Proctor**

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